



HF 543 - DRUG ENDANGERED CHILDREN

Description. [House File 543](#) amends Iowa Code section [232.2](#) to further clarify a child in need of assistance or one in a child abuse case, with child endangerment in both instances involving drugs and other substances. A drug-endangered child is a child whose parent, guardian, custodian, or other adult member of the household in which the child resides does any of the following: unlawfully uses, possesses, manufactures, cultivates, or distributes a dangerous substance in the presence of the child; unknowingly allows such use, possession, manufacture, cultivation, or distribution by another person in the presence of the child; possesses a product with the intent to use the product as a precursor or an intermediary to a dangerous substance in the presence of the child; or unlawfully uses, possesses, manufactures, cultivates, or distributes a dangerous substance (as specified), in the child's home, on the premises, or in a motor vehicle located on the premises.

The Act allows a health practitioner to perform drug testing on a child who presents physical or behavioral symptoms consistent with the effects of exposure to illegal and/or nonprescribed drugs, and may report any positive test results to the Department of Human Services (DHS).

The Act specifies that a positive test result may not be used for the criminal prosecution of a parent. Upon receipt of information related to a positive drug test, the DHS will begin a child in need of assistance or family in need of assistance assessment, depending on the case and circumstances involved.

Enactment Date. The Act was approved by the General Assembly on April 18, 2017, and was signed by the Governor on April 20, 2017.

STAFF CONTACT: Angel Banks-Adams (515)281-63011 angel.banks-adams@legis.iowa.gov